

THURSDAY, FEBRUARY 2, 1995

FOURTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with a prayer by the Rev. Abe Silliman, Jr. of Turkey Creek Baptist Church, Savannah, Tennessee.

Representative Rinks led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Whitson; personal reasons.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday, February 6, 1995:

House Joint Resolution No. 52 -- Memorials, Sports -- 1994 Portland High School football team. by *McDonald.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

* House Joint Resolution No. 44 -- General Assembly, Studies - Continues special joint committee created by HJR 461 of 98th General Assembly to review petroleum underground storage tank regulatory program. by *Head, *Bell, *Bragg

Conservation and Environment Committee

House Joint Resolution No. 47 -- Naming and Designating - Redesignates Legislative Plaza complex as "War Memorial Plaza." by *Robinson.

State and Local Government Committee

* House Joint Resolution No. 50 -- General Assembly, Directed Studies - Directs cabinet for economic development to study businesses owned by women in Tennessee. by *Halteman Harwell.

Commerce Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 317 -- Education -- Exempts Memphis school board from staggered terms of election. Amends TCA 49-2-201. by *DeBerry L.

House Bill No. 318 -- Garnishments and Executions -- Increases exemption from execution, seizure or attachment for tools of trade from \$750 to \$2,250. Amends TCA 26-2-111. by *Arriola.

*House Bill No. 319 -- Constitutional Conventions -- Provides for election to convene a constitutional convention to repeal Article XI, Section V, relative to prohibition of lotteries. by *Arriola.

House Bill No. 320 -- Audiologists and Speech Pathologists -- Requires audiologists, speech language pathologists, and hearing aid dispensers to notify board within 21 days of any change in business address. Amends TCA Title 63, Chapters 15, 17. by *Kernell, *Kent.

*House Bill No. 321 -- Animals -- Expands present law creating Class C misdemeanor to place poisonous substance causing death or injury to animals on property of another; if person knowingly places matter to lure or entice domestic animal to consume substance, action is Class C misdemeanor notwithstanding on whose property substance is placed. TCA 704-125. by *Windle.

House Bill No. 322 -- Taxes, Business -- Authorizes 20 percent penalty on delinquent business taxes; authorizes city or county to turn delinquent account over to collection agent. Amends TCA 67-4-719. by *Jackson.

***House Bill No. 323** -- DUI/DWI Offenses -- Creates presumption that person with two or more prior DUI convictions is in violation of DUI statute if there is .05 percent of alcohol in such person's blood. Amends TCA Title 55, Chapter 10, Part 4. by *Jackson.

***House Bill No. 324** -- DUI/DWI Offenses -- Revises time for calculating ten year period used to determine whether prior DUI conviction can be used to enhance punishment of subsequent conviction from date of conviction to date of violation. Amends TCA Title 55, Chapter 10, Part 4. by *Jackson.

***House Bill No. 325** -- DUI/DWI Offenses -- Increases from \$1,100 to \$2,000 minimum fine for third or subsequent offense DUI. Amends TCA Title 55, Chapter 10. by *Jackson.

***House Bill No. 326** -- Alcoholic Offenses -- Adds 14 days to minimum period of incarceration, \$500 to minimum fine and one year to minimum driver license suspension if person convicted of DUI has previous conviction for DUI or vehicular homicide involving alcohol within one year prior to new offense. Amends TCA Title 55, Chapter 10, Part 4. by *Jackson.

House Bill No. 327 -- Judicial Officers -- Removes duty of court clerks to maintain supreme court reports in their offices. Amends TCA Title 18. by *Windle.

House Bill No. 328 -- Wine, Wineries -- Lowers required seating capacity of restaurants authorized to sell wine only from 50 to 40. Amends TCA 57-4-101, 102. by *Jones R (Shelby).

***House Bill No. 329** -- Insurance, Motor Vehicles -- Prohibits insurers from changing risk classification or otherwise penalizing drivers who are not at fault in accidents. Amends TCA Title 56. by *Venable.

***House Bill No. 330** -- Juvenile Offenders -- Provides that juvenile offenders, who are tried as adults and who are detained or confined in adult facility separately from adult detainees and inmates, shall otherwise abide by same regulations and policies, governing educational opportunities and conditions of imprisonment, which apply to adult detainees and inmates guilty of similar offenses. Amends TCA Title 37, Chapter 1. by *Venable, *Ramsey.

***House Bill No. 331** -- Driver Licenses -- Permits court to issue restricted license for purposes of going to and from work to person if conduct giving rise to mandatory license revocation does not involve or result in violence. Amends TCA Title 55, Chapter 50, Part 5. by *Venable.

***House Bill No. 332** -- School Districts, Special -- Limits voting rights of nonresident owners of property in special school district to elections involving bond issues or tax rates. Amends TCA Title 49, Chapter 2, Part 5. by *Venable, *Ramsey.

***House Bill No. 333** -- Annexation -- Provides that annexation by ordinance not take effect for 45 rather than 30 days. Amends TCA 6-51-101, 102. by *Venable, *Ramsey.

House Bill No. 334 -- Pensions and Retirement Benefits -- Allows retired teachers to have premiums for state group insurance

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automatically deducted from retirement pay. Amends TCA Title 8, Chapter 27, Part 3. by *Miller.

House Bill No. 335 -- Education -- Lowers age of required school attendance from seven to five to comport with mandatory kindergarten; also allows six year old children to enter first grade at any time in semester. Amends TCA Title 49, Chapter 6, Part 30. by *Towns.

House Bill No. 336 -- Education -- Requires local school funding to be distributed on basis of weighted full-time equivalent average daily membership (WFTEADM) rather than daily attendance (WFTEADA). Amends TCA 49-3-315. by *Towns.

House Bill No. 337 -- Municipal Government -- Revises law concerning municipal government. Amends TCA 6-1-201, 203, 205; 6-2-201; 6-4-302; 6-18-103, 106; 6-19-101; 6-20-215; 6-21-108, 502; 6-22-124; 6-30-106. by *Kisber, *West, *Huskey, *Westmoreland, *Kent, *Tindell, *Fowlkes, *Jones U (Shelby), *Venable.

***House Bill No. 338** -- Municipal Government -- Permits city to require city residents to use city water system if municipality has authority to require connection to public sewer system; if person outside corporate limits requests water service, municipality may require each parcel of land between limits and person requesting service to also connect. Amends TCA Title 68, Chapter 221, Part 7. by *West, *Tindell.

***House Bill No. 339** -- DUI/DWI Offenses -- Adds technologists and certified and/or nationally registered phlebotomists to those authorized to take blood samples for DUI and BUI testing purposes in any county. Amends TCA Title 55, Chapter 10, Part 4; Title 69, Chapter 10, Part 2. by *Arriola, *Odom, *Ramsey.

***House Bill No. 340** -- Oil and Gas -- Revises financial responsibility requirements of owner/operators under Tennessee Petroleum Underground Storage Tank Act. Amends TCA Title 68, Chapter 215, Part 1. by *Head, *Bell, *Bragg.

***House Bill No. 341** -- Campaigns -- Requires disclosure of occupation and employer of campaign contributors. Amends TCA Title 2, Chapter 10, Part 1. by *Kisber.

***House Bill No. 342** -- Taxes -- Puts formula for calculating excise and franchise taxes on four part basis, property, payroll, and double sales factor. Amends TCA 67-4-811; 67-4-910. by *Kisber.

***House Bill No. 343** -- Education, Higher -- Creates Tennessee Student Employment Incentive Program to subsidize employment of college students by private businesses. Amends TCA Title 49. by *Kisber, *Ramsey, *Stamps, *Halteman Harwell, *DeBerry L, *Pinion, *Davidson.

***House Bill No. 344** -- Taxes, Excise -- Allows taxpayer to use credits in excess of \$1 million against excise tax arising from purchases of industrial machinery to 75 percent of franchise tax liability. Amends TCA Title 67, Chapter 4, Parts 8, 9. by *Kisber, *McKee, *Newton, *Bird.

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House Bill No. 345 -- Taxes, Sales -- Makes permanent sales tax credits on pollution control equipment for dry cleaners, auto paint shops, and similar business not otherwise covered. Amends TCA 67-6-346, 67-6-507; Chapter 873, Public Acts of 1992. by *Kisber, *Bragg, *West.

***House Bill No. 346** -- Public Service Commission -- Makes commission membership subject to election by general assembly in joint convention; retains present members until expiration of terms. Amends TCA 65-1-101, 102, 2-3-203, 2-5-208(c)(1)(D), 2-8-110(a), 111, 2-10-102, 2-13-202. by *Kisber.

***House Bill No. 347** -- Taxes, Inheritance Gift -- Abolishes distinction between Class A and Class B beneficiaries on gift tax; allows \$600,000 lifetime exemption in conformity with IRS exclusions. Amends TCA Title 67, Chapter 8. by *Kisber.

***House Bill No. 348** -- Motor Vehicles -- Extends 10 percent variance for weightper-axle restrictions to "farm trucks"; defines "farm trucks." Amends TCA Title 55, Chapter 7. by *Davidson, *Givens, *Bell, *Callicott, *Head.

***House Bill No. 349** -- Environment and Conservation, Department of -- Reduces time, from 60 to 30 days, allotted to comptroller to file audit report of wastewater facility to board of environment and conservation. Amends TCA Title 68, Chapter 221. by *Rhinehart.

House Bill No. 350 -- Education -- Requires incentive grants be distributed on equitable basis based upon objective performance measurement criteria. Amends TCA Title 49, Chapter 3. by *Rhinehart.

House Bill No. 351 -- Taxes, Real Property -- Changes date for person claiming interest in land to be sold for taxes to act from December 31 to following February 28. Amends TCA Title 67, Chapter 5. by *Rhinehart.

***House Bill No. 352** -- Traffic Safety -- Adds local governmental entities to list of entities that may assess fee for conducting driver improvement course; fee not to exceed \$50.00 and must be conducted by government or 501(c)(3) corporation; no one shall be refused admittance for inability to pay. Amends TCA Section 55-10-301. by *Odom.

***House Bill No. 353** -- Teachers -- Allows state funds appropriated for new or additional education positions to be used for salary increases for existing personnel, if necessary to bring them up to 90 percent of average salary for that position or level. Amends TCA 49-3-306. by *Winningham.

House Bill No. 354 -- Pensions and Retirement Benefits -- Allows teachers employed by LEAs to retire at age 60 or with 300 months of service; costs to be paid out of LEA administrative funds. Amends TCA Title 8, Chapter 36; Title 49, Chapter 3. by *Winningham.

House Bill No. 355 -- Education, Higher -- Provides for 25 percent tuition discount at state institutions of higher education for eligible children of retired teachers. Amends TCA Section 49-7-119. by *Winningham.

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***House Bill No. 356** -- District Attorneys -- Creates additional secretarial position in 15th judicial district. Amends TCA 162-506. by *Buck, *Winningham, *Bell.

House Bill No. 357 -- Banks and Financial Institutions -- Revises requirements for volunteer corporate credit unions. Amends TCA 45-4-1203(4), 1204, 1205, 1207-1209. by *Rhinehart, *Stulce, *Wood, *McAfee, *Kisber, *Hassell, *Halteman Harwell, *Jones R (Shelby), *Tindell, *Phillips, *Cole (Carter).

***House Bill No. 358** -- Local Government, General -- Removes restrictions in present law prohibiting counties and municipalities from offering services as alarm systems contractor and instead authorizes such services under certain circumstances. Amends TCA 6232-321. by *Curtiss.

***House Bill No. 359** -- Utilities, Utility Districts -- Revises board of commissioners election requirements for Pleasant Hill Utility District in Cumberland County. Amends TCA Title 7, Chapter 82. by *Curtiss.

***House Bill No. 360** -- Firearms and Ammunition -- Revises handgun application process. Amends TCA Title 39, Chapter 17, Part 13, and Title 55, Chapter 50, Part 3. by *Phillips.

***House Bill No. 361** -- Consumer Protection -- Enacts "Condominium Residents' Bill of Rights. Amends TCA Title 47, Chapter 18. by *Robinson.

***House Bill No. 362** -- Public Funds and Financing -- Enacts "Anti-Unfunded Mandates Act of 1995." Amends TCA 9-6-301 -- 305. by *Herron.

***House Bill No. 363** -- Board of Regents -- Adds faculty member to board of regents for three year term; rotates appointments among board of regents institutions. Amends TCA Title 49, Chapter 8, Part 2. by *Herron.

House Bill No. 364 -- County Government -- Authorizes county legislative body to rescind enactment of severance tax by resolution adopted by majority of its members. Amends TCA 67-7-201. by *Robinson, *Cole (Dyer), *Fowlkes.

House Bill No. 365 -- Taxes, Severance -- Removes severance tax on sand, gravel, chert and limestone from calculation of sales price under Retail Sales Tax Act. Amends TCA 67-6-102. by *Robinson, *Cole (Dyer), *Fowlkes.

***House Bill No. 366** -- Probation -- Clarifies that probation officer may execute probation revocation arrest warrant regardless of whether defendant is on probation for misdemeanor or felony or whether the warrant is issued by general sessions court judge or judge of a court of record. Amends TCA Title 40, Chapter 35, Part 3; Title 40, Chapter 6, Part 2. by *Robinson.

House Bill No. 367 -- Alcoholic Beverages -- Clarifies identification, check acceptance, and employment in retail alcoholic beverage businesses. Amends TCA Title 57, Chapter 3. by *Arriola.

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*House Bill No. 368 -- DUI/DWI Offenses -- Authorizes impoundment of offender's vehicle for seven days for first DUI conviction and for 30 days for second DUI conviction; authorizes confiscation of vehicle for third offense; sets out disposition of funds from sale of vehicle. Amends TCA Title 40, Chapter 33, Part 2 and Title 55, Chapter 10, Part 4. by *Arriola.

*House Bill No. 369 -- Banks and Financial Institutions -- Requires banks to wait three days before cashing checks drawn on account of persons age 65 or over if amount is \$1,000 or more. Amends TCA Title 45, Chapter 2, and Title 47, Chapters 3 and 4. by *Arriola.

*House Bill No. 370 -- Medicaid and Medicare -- Adds assisted living facilities to skilled nursing care and intermediate care for purposes of Medicaid reimbursement, subject to applicable federal law. Amends TCA Title 71, Chapter 5. by *Arriola.

*House Bill No. 371 -- Welfare -- Changes deadline for commissioner of human services to report to governor and general assembly concerning results of annual market rate study of day care rates. Amends TCA Title 71. by *Arriola.

*House Bill No. 372 -- TennCare -- Provides that eligibility for medical assistance levels be set on state fiscal year basis. Amends TCA 71-5-106. by *Arriola.

*House Bill No. 373 -- Medicaid and Medicare -- Extends period of time from 60 to 90 days after close of fiscal year in which report on Medicaid must be submitted to governor and general assembly. Amends TCA Title 71, Chapter 5. by *Arriola.

*House Bill No. 374 -- Taxes, Excise -- Increases threshold amount from \$2,000 to \$2,500 of excise tax which triggers declaration of estimated tax and quarterly tax payments. Amends TCA 67-4-817(c). by *Arriola.

*House Bill No. 375 -- Education -- Extends period of time that children age six or who will become six by September 30 may enter school from 30 to 45 days. Amends TCA 49-6-3001 -- 49-6-3015. by *Arriola.

*House Bill No. 376 -- Taxes, Sales -- Exempts caskets, burial vault and all other goods provided as part of funeral and burial process. Amends TCA Title 67, Chapter 6, Part 3. by *Arriola.

*House Bill No. 377 -- Liens -- Extends period from three to four years time to execute judgment or lose lien against real property. Amends TCA 255-105. by *Arriola.

*House Bill No. 378 -- TennCare -- Requires department of health to determine feasibility of expanding TennCare to include small employers who are providing health insurance which on average costs 50 percent more than if employees were in TennCare; requires department to report findings to general welfare committees of house and senate by 2/1/96. Amends TCA Title 71, Chapter 5. Amends TCA Title 71, Chapter 5. by *Arriola.

*House Bill No. 379 -- Barbers -- Revises barbering law. Amends TCA Title 62, Chapter 3. by *Arriola.

***House Bill No. 380** -- Juvenile Offenders -- Raises age of juvenile offenders whose juvenile records may be inspected from 14 to 15 years of age. Amends TCA Title 37, Chapter 1. by *Arriola.

***House Bill No. 381** -- Children -- Permits parents to petition court for state to take custody of unruly child and to make payments to state to defray costs of child's rehabilitation. Amends TCA Title 37. by *Arriola.

***House Bill No. 382** -- Courts, General Sessions -- Authorizes consistent method of appointment for general sessions courts; establishes funding source for conference expense payments. Amends TCA 16-15-209, 211. by *Arriola.

House Bill No. 383 -- Taxes, Gasoline, Petroleum Products -- Relaxes requirements on purchasers of dyed diesel fuel for exempt use, while imposing disclosure requirements on sellers of such fuel. Amends TCA Title 67, Chapter 3. by *Givens, *Davidson, *Bell, *Callicott, *Head.

House Bill No. 384 -- Agriculture -- Extends 10 percent margin of error on truck weight restrictions available to logging, sand, coal, phosphate, recovered materials, and machinery to agricultural trucks. Amends TCA 55-7-203. by *Givens, *Bell, *Callicott, *Head.

***House Bill No. 385** -- DUI/DWI Offenses -- Makes BAC of 0.10 percent per se DUI offense. Amends TCA Title 55, Chapter 10. by *Robinson.

House Bill No. 386 -- Sunset Laws -- Health facilities commission, June 30, 2003. Amends TCA Title 4, Chapter 29, Part 2 and Section 4-29-216(23). by *Rinks.

***House Bill No. 387** -- Health -- Prohibits most favored nation clause in health care contracts; does not prohibit agreements to discount or reduce amounts to be paid for professional services; applies prospectively and does not impair existing contracts. Amends TCA Title 47, Chapter 50. by *Rinks.

House Bill No. 388 -- Criminal Offenses -- Creates offense of carjacking, punished as Class C felony; defines "carjacking" as intentional or knowing taking of motor vehicle from possession of another by use of deadly weapon or force or intimidation. Amends TCA Title 39, Chapter 13, Part 4. by *Herron.

House Bill No. 389 -- DUI/DWI Offenses -- Requires inclusion of educational pamphlet regarding DUI/DWI laws in driver license renewal notices. Amends TCA 5550-338. by *Herron.

***House Bill No. 390** -- Alcoholic Beverages -- Permits Class A County beer board to forbid sale of beer within 300 feet of residence if property is zoned. Amends TCA 57-5-105. by *Ford, *Shirley, *Sharp, *Ramsey, *McDaniel, *Wood, *McAfee, *Haley.

***House Bill No. 391** -- Sentencing -- Expands statutory information to be given to accused upon sentencing by trial court; requires parole board to inform trial judge of changes to inmates release eligibility reduction dates or class of inmates ineligible for

reduction. Amends TCA Title 40, Chapter 35, Title 41, Chapter 21. by *Jones R (Shelby), *Armstrong, *Turner (Shelby).

House Bill No. 392 -- Minority Affairs -- Creates and establishes department of minority business enterprise; creates within department disadvantaged business loan guarantee program. Amends TCA Title 4; Title 8 and Title 54. by *Jones R (Shelby), *Armstrong, *Turner (Shelby).

House Bill No. 393 -- Courts, Juvenile -- Authorizes juvenile court to join child's parent or guardian as respondent to juvenile court action and issue summons requiring parent or guardian to appear. Amends TCA Title 37. by *Jones R (Shelby), *Armstrong, *Turner (Shelby).

House Bill No. 394 -- Criminal Procedure -- Requires parole hearings to be conducted in county in which defendant committed most serious offense and in which release eligible; most serious offense is offense committed by use of violence or threat of violence; if more than one offense, consider offense for which defendant received longest sentence. Amends TCA Title 40, Chapters 28, 35. by *Jones R (Shelby), *Armstrong, *Turner (Shelby).

House Bill No. 395 -- Criminal Procedure -- Prohibits use of offender profiles as sole basis for reasonable suspicion or probable cause to effect stop, frisk, halt arrest or search. Amends TCA Title 40, Chapter 7. by *Jones R (Shelby), *Armstrong, *Brooks, *Turner (Shelby).

House Bill No. 396 -- Criminal Offenses -- Requires seized property to be returned to claimant if possessor not charged with criminal offense by time of forfeiture hearing; if possessor is charged, then property will be disposed of upon final order when person convicted or pleads guilty. Amends TCA Titles 8, 12, 29, 38 -- 40, 49, 53, 55. by *Jones R (Shelby), *Armstrong, *Brooks, *Turner (Shelby).

House Bill No. 397 -- Law Enforcement -- Gives housing project security officers law enforcement authority in Chattanooga, Knoxville, Nashville and Memphis, if officers meet qualifications of police officers. Amends TCA 13-20-419. by *Jones R (Shelby), *Brooks, *Turner (Shelby).

House Bill No. 398 -- Boards and Commissions -- Creates and establishes commission on assassination of Dr. Martin Luther King, Jr. Amends TCA Title 4. by *Jones R (Shelby), *Brooks, *Armstrong, *Turner (Shelby).

House Bill No. 399 -- Purchasing -- Directs comptroller to investigate any allegation that specific vendor or contractor is victim of racially biased, discriminatory, or unfair practices or policies of state government or any of its entities; establishes reporting procedures. Amends TCA Title 4, Chapter 3, Part 3. by *Jones R (Shelby), *Brooks, *Armstrong, *Turner (Shelby).

House Bill No. 400 -- TennCare -- Requires department of health to require MCOs contracting with state to provide health care under TennCare to offer as required medical service blood glucose monitors

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and related testing strips. Amends TCA Title 71. by *Jones R (Shelby), *Brooks, *Armstrong, *Turner (Shelby).

***House Bill No. 401** -- Consumer Protection -- Regulates sale of FDA approved drugs; prohibits price discrimination; requires drugs be offered with rights accorded most favored seller, including purchase prices for similar volume purchases. Amends TCA Titles 47, 63. by *Jones R (Shelby), *Brooks, *Armstrong, *Turner (Shelby).

***House Bill No. 402** -- Pardons and Paroles -- Authorizes creation of a volunteer services program within board of paroles. Amends TCA Title 41, Chapter 10. by *Jones R (Shelby), *Jones U (Shelby), *Turner (Shelby), *Towns.

***House Bill No. 403** -- Election Laws -- Allows person 65 years of age or older to be placed on permanent absentee voting register. Amends TCA Title 2, Chapter 6. by *Jones R (Shelby), *Jones U (Shelby), *Turner (Shelby), *DeBerry L.

***House Bill No. 404** -- Adoption -- Increases adoption revocable surrender time period from 15 to 20 days. Amends TCA Title 36; Title 37; Title 68 and Title 71. by *Fowlkes.

House Bill No. 405 -- Budget Procedures -- Requires statewide infrastructure needs survey be completed annually on county by county basis to be submitted to general assembly. Amends TCA Title 13, Chapter 1. by *Fowlkes, *McDaniel.

***House Bill No. 406** -- Adoption -- Reduces adoption revocable surrender time period from 15 to ten days. Amends TCA Titles 36, 37, 68, 71. by *Fowlkes, *Jones S.

House Bill No. 407 -- Lobbying, Lobbyists -- Prohibits lobbyist or anyone acting at direction of lobbyist from paying out of state travel, honoraria, lodging, transportation or any other expense for legislative official. Amends TCA Title 3, Chapter 6. by *Fowlkes.

***House Bill No. 408** -- Highways, Roads and Bridges -- Permits cities to spend state street aid funds on state or federal highways within corporate limits of city. Amends TCA 54-4-204. by *Fowlkes.

House Bill No. 409 -- County Officers -- Permits any county official authorized to file salary lawsuit to use letter of agreement whether or not the official's office operates under fee system. Amends TCA 8-20-101(c). by *Fowlkes.

House Bill No. 410 -- Inheritance Laws -- Adds enforceable claims as valid reduction from net estate for purposes of determining elective share of decedent's spouse; adds requirement that if petition of surviving spouse is mailed, it must be mailed by certified mail return receipt. Amends TCA Title 31, Chapter 4, Part 1. by *Fowlkes.

House Bill No. 411 -- Taxes, Severance -- Requires severance tax on sand, gravel, sandstone, chert or limestone to be listed separately on invoice and be denoted as tax on such minerals; requires operator to collect tax from purchaser at time of sale and delivery and transmit tax to department of revenue. Amends TCA 677-203. by *Cole (Dyer), *Fowlkes.

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House Bill No. 412 -- Sunset Laws -- Local government planning advisory committee, June 30, 2003. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett, *Brooks.

House Bill No. 413 -- Sunset Laws -- Carroll County watershed authority, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 64, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 414 -- Sunset Laws -- Interstate library compact, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 10, Chapter 6. by *Kernell, *Garrett, *Brooks.

House Bill No. 415 -- Sunset Laws -- Office of business enterprise, June 30, 2003. Amends TCA Title 4, Chapters 26, 29. by *Kernell, *Garrett, *Brooks.

***House Bill No. 416** -- Sunset Laws -- Interstate compact on juveniles, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 37, Chapter 4. by *Kernell, *Garrett, *Brooks.

***House Bill No. 417** -- Sunset Laws -- Comprehensive health insurance pool, board of directors, June 30, 1996. Amends TCA Title 4, Chapter 29; Title 56, Chapter 7. by *Kernell, *Garrett, *Brooks.

***House Bill No. 418** -- Sunset Laws -- Department of agriculture, June 30, 1998; requires department to prepare report to review audit findings and progress in correcting issues addressed in audit dated 9/94, to be delivered in February 1995 and 1996 to speakers of both houses and to members GOC committees. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett, *Brooks.

***House Bill No. 419** -- Sunset Laws -- Tennessee student assistance corporation, board of directors, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 49, Chapter 4. by *Kernell, *Garrett, *Brooks.

***House Bill No. 420** -- Sunset Laws -- Gibson County water projects authority, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 64, Chapter 1. by *Kernell, *Garrett, *Brooks.

***House Bill No. 421** -- Sunset Laws -- Terminates Medicaid drug utilization review board. Amends TCA Title 4, Chapter 29; Title 71, Chapter 5. by *Kernell, *Garrett, *Brooks.

***House Bill No. 422** -- Sunset Laws -- Department of financial institutions, June 30, 2003. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett, *Brooks.

***House Bill No. 423** -- Sunset Laws -- Medicaid program cost savings suggestion award program board, June 30, 2003. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Garrett, *Brooks.

***House Bill No. 424** -- Sunset Laws -- Tennessee alliance for fitness and health, June 30, 1996. Amends TCA Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks.

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*House Bill No. 425 -- Sunset Laws -- Information system council, June 30, 1996. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett.

*House Bill No. 426 -- Sunset Laws -- James K. Polk Memorial Association, June 30, 1996. Amends TCA Title 4, Chapters 13, 29. by *Kernell, *Garrett, *Brooks.

*House Bill No. 427 -- Sunset Laws -- Tennessee wars commission, June 30, 1996. Amends TCA Title 4, Chapters 11, 29. by *Kernell, *Garrett, *Brooks.

*House Bill No. 428 -- Sunset Laws -- Tennessee Sports Hall of Fame, June 30, 1997. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett, *Brooks.

*House Bill No. 429 -- Sunset Laws -- Sentencing commission, June 30, 2002. Amends TCA Title 4, Chapter 29; Title 40, Chapter 37. by *Kernell, *Garrett, *Brooks.

*House Bill No. 430 -- Sunset Laws -- Board for licensing health care facilities, June 30, 2002. Amends TCA Title 4, Chapter 29; Title 68, Chapter 11. by *Kernell, *Garrett, *Brooks.

*House Bill No. 431 -- Sunset Laws -- Military affairs commission, June 30, 2002. Amends TCA Title 4, Chapters 29, 45. by *Kernell, *Garrett, *Brooks.

House Bill No. 432 -- Sunset Laws -- Board of standards, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 12, Chapter 3. by *Kernell, *Garrett, *Brooks.

*House Bill No. 433 -- Sunset Laws -- Compact on probation and parole, June 30, 2003. Amends TCA Title 4, Chapter 29, Title 40, Chapter 28. by *Kernell, *Garrett, *Brooks.

House Bill No. 434 -- Sunset Laws -- Black health care commission, June 30, 1996. Amends TCA Title 3, Chapter 15; Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks.

House Bill No. 435 -- Sunset Laws -- Public service commission, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 65, Chapter 1. by *Kernell, *Garrett, *Brooks.

*House Bill No. 436 -- Sunset Laws -- Tennessee Elk River Development Agency, June 30, 2003. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by *Kernell, *Garrett, *Brooks.

*House Bill No. 437 -- Sunset Laws -- Health facilities commission, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 68, Chapter 11. by *Kernell, *Garrett, *Brooks.

*House Bill No. 438 -- Sunset Laws -- Regional transportation authority, June 30, 2003. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 8. by *Kernell, *Garrett, *Brooks.

*House Bill No. 439 -- Sunset Laws -- Terminates state seed board. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 10. by *Kernell, *Garrett, *Brooks.

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*House Bill No. 440 -- Sunset Laws -- Traumatic brain injury council, June 30, 1997. Amends TCA Title 4, Chapter 29; Title 68, Chapter 55. by *Kernell, *Garrett, *Brooks.

*House Bill No. 441 -- Sunset Laws -- Employee assistance professional board, June 30, 1996. Amends TCA Title 4, Chapter 29; Title 62, Chapter 42. by *Kernell, *Garrett, *Brooks.

*House Bill No. 442 -- Sunset Laws -- State textbook commission, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 49, Chapter 6. by *Kernell, *Garrett, *Brooks.

*House Bill No. 443 -- Administrative Procedure -- Continues certain permanent agency rules pursuant to UAPA beyond expiration date of June 30, 1995. by *Kernell, *Garrett, *Brooks.

*House Bill No. 444 -- Administrative Procedure -- Increases time when sunrise review of agency by government operations committee is conducted from one to two years. Amends TCA Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks.

*House Bill No. 445 -- Sunset Laws -- Board for professional counselors, and marital and family therapists. Amends TCA Title 4, Chapter 29; Title 63, Chapter 22. by *Kernell, *Garrett, *Brooks.

*House Bill No. 446 -- Sunset Laws -- Tennessee alliance for fitness and health, June 30, 1996. Amends TCA Title 4, Chapters 29, 40. by *Kernell, *Garrett, *Brooks.

*House Bill No. 447 -- Sunset Laws -- Pest control board, June 30, 2003. Amends TCA Title 4, Chapter 29, and Title 62, Chapter 21. by *Kernell, *Garrett, *Brooks.

*House Bill No. 448 -- Sunset Laws -- Department of veterans' affairs, June 30, 2003. Amends TCA Title 4, Chapters 3, 4. by *Kernell, *Garrett, *Brooks.

*House Bill No. 449 -- Sunset Laws -- TennCare program cost savings suggestion award board, June 30, 1997. Amends TCA Title 4, Chapter 29; Title 71, Chapter 5. by *Kernell, *Garrett, *Brooks.

*House Bill No. 450 -- Sunset Laws -- West Fork Drakes Creek Dam and Reservoir Interstate Authority, June 30, 1997. Amends TCA Title 4, Chapter 29, and Title 64, Chapter 1. by *Kernell, *Garrett, *Brooks.

*House Bill No. 451 -- Sunset Laws -- Tennessee public service commission, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 65, Chapter 1. by *Kernell, *Garrett, *Brooks.

*House Bill No. 452 -- Sunset Laws -- Tennessee victims coalition, June 30, 1997. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 41. by *Kernell, *Garrett, *Brooks.

*House Bill No. 453 -- Sunset Laws -- Board for licensing health care facilities, June 30, 1998. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Kernell, *Garrett, *Brooks.

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***House Bill No. 454** -- Sunset Laws -- Department of Agriculture, June 30, 2003. Amends TCA Title 4, Chapter 3, and Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks.

***House Bill No. 455** -- Administrative Procedure -- Designates government operations committees as standing committees for certain bills. Amends TCA 4-29-118; 4-5-108. by *Kernell, *Garrett, *Brooks.

***House Bill No. 456** -- Contractors -- Decreases period of time from 90 to 60 days when renewal notices for alarm system contractors must be mailed. Amends TCA Title 62, Chapter 32, Part 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 457 -- Sunset Laws -- Tennessee corrections institute, board of control, June 30, 2003 Amends TCA Title 4, Chapter 29; Title 41, Chapter 7. by *Kernell, *Garrett, *Brooks.

House Bill No. 458 -- Sunset Laws -- Cemetery advisory board, June 30, 2003. Amends TCA Title 4, Chapter 9; Title 46, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 459 -- Sunset Laws -- Commission for uniform legislation, June 30, 2003. Amends TCA Title 4, Chapters 9, 29. by *Kernell, *Garrett, *Brooks.

***House Bill No. 460** -- Sunset Laws -- West Fork Drakes Creek Dam; adds a commissioner or designee chosen by board of commissioners of Sumner County water authority to board. Amends TCA Title 4, Chapter 29; Title 64, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 461 -- Sunset Laws -- Judicial council, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 16, Chapter 21. by *Kernell, *Garrett, *Brooks.

House Bill No. 462 -- Sunset Laws -- Interstate corrections compact, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 41, Chapter 23. by *Kernell, *Garrett, *Brooks.

***House Bill No. 463** -- Sunset Laws -- Department of veterans' affairs, June 30, 2003. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett, *Brooks.

House Bill No. 464 -- Sunset Laws -- Interstate compact on detainees, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 40, Chapter 31. by *Kernell, *Garrett, *Brooks.

House Bill No. 465 -- Sunset Laws -- Board of electrolysis examiners, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 63, Chapter 26. by *Kernell, *Garrett, *Brooks.

House Bill No. 466 -- Sunset Laws -- Department of revenue, June 30, 2003. Amends TCA Title 4, Chapters 3, 29. by *Kernell, *Garrett, *Brooks.

***House Bill No. 467** -- Sunset Laws -- Personnel recruiting services board, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 62, Chapter 31. by *Kernell, *Garrett, *Brooks.

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***House Bill No. 468** -- Sunset Laws -- Pest control board, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 62, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 469 -- Sunset Laws -- Tennessee public television council, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 49, Chapter 50. by *Kernell, *Garrett, *Brooks.

House Bill No. 470 -- Sunset Laws -- Review committee, June 30, 2003. Amends TCA Title 4, Chapter 29; Title 12, Chapter 4. by *Kernell, *Garrett, *Brooks.

House Bill No. 471 -- Taxes, Real Property -- Rebates 20 percent of property transfer taxes to counties with population of 80,000+. Amends TCA Section 67-4-409. by *Callicott, *Williams (Williamson).

House Bill No. 472 -- Taxes, Real Property -- Authorizes counties to grant tax relief to certain elderly persons. Amends TCA Title 67. by *Callicott, *Williams (Williamson).

***House Bill No. 473** -- Criminal Offenses -- Increases penalty for vehicular fleeing from police pursuit from Class A misdemeanor to Class E felony. Amends TCA 39-16-603; 40-33-201. by *Sharp, *Ford.

***House Bill No. 474** -- Tort Liability -- Abolishes state liability for injuries caused during high speed pursuit by law enforcement officials. Amends TCA 558-108. by *Sharp, *Ford.

House Bill No. 475 -- Education, Higher -- Allows limited admission of out-of-state students at in-state tuition rate to state colleges and universities to certain students. Amends TCA Title 49, Chapters 8, 9. by *Stulce, *Davidson, *Head.

House Bill No. 476 -- Education, Higher -- Allows controlled admission of nonresidents to Chattanooga State Technical Community College. Amends TCA 49-8-102. by *Stulce.

***House Bill No. 477** -- Judicial Districts -- Creates one criminal court judge position, three assistant district attorney general positions and one criminal investigator position for 30th judicial district. Amends TCA Title 16, Chapter 2, Part 5. by *Hassell, *Chumney, *DeBerry L., *Byrd, *DeBerry J, *Jones R (Shelby), *Kent, *Brooks, *Turner (Shelby), *Haley, *Miller, *Jones U (Shelby), *Towns, *Bowers, *Joyce, *Kernell.

***House Bill No. 478** -- Handicapped Persons -- Prohibits disclosure of persons who have obtained handicapped parking placards and license plates unless upon written consent of owner of placard or plate; upon inquiry of law enforcement officer or pursuant to order of court of competent jurisdiction. Amends TCA Title 55, Chapter 21, Part 1. by *West, *Duer.

***House Bill No. 479** -- General Assembly -- Limits comments of Tennessee sentencing commission to whether proposal is consistent and compatible with present law; requires commission to review legislation whether or not proponent of legislation appears on date bill is scheduled for review. Amends TCA Title 40, Chapter 37. by *Gunnels, *Peach.

***House Bill No. 480** -- County Government -- Permits Loudon County to remedy dangerous conditions or overgrown vegetation on parcel of property on which owner-occupied residence is located. Amends TCA 5-1-115. by *Gunnels, *Kerr.

***House Bill No. 481** -- Courts, Municipal -- Authorizes home rule city judges to be selected under city charter as alternative to present requirements of popular election and eight year terms. Amends TCA Section 16-17-102. by *Gunnels, *Kerr.

***House Bill No. 482** -- Taxes, Income -- Authorizes credit against Hall Income Tax in amount equal to premium paid for long term care insurance. Amends TCA Title 67, Chapter 2, Part 1. Amends TCA Title 67, Chapter 2, Part 1. by *Gunnels, *Peach, *Kerr, *Clabough, *McKee.

***House Bill No. 483** -- Highway Signs -- Extends pilot project on tourist oriented directional signs from 12/31/94 to 12/31/95. Amends TCA Title 54, Chapter 5, Part 13. by *Gunnels, *Kerr, *McKee, *Clabough.

***House Bill No. 484** -- School Transportation -- Authorizes state board of education to promulgate rules for 1995-96 school year for driver of vehicle transporting school children to confiscate weapons brought onto vehicle; rules to include method for driver to deliver weapons to appropriate school or law enforcement personnel. TCA Title 49, Chapter 6, Part 21. by *Gunnels, *Kerr, *McKee, *Clabough.

***House Bill No. 485** -- Monroe County -- Subject to local approval, authorizes maximum amount of hotel/motel tax to be increased from 3 to 5 percent. Amends Chapter 45, Private Acts of 1981. by *Gunnels, *McKee.

***House Bill No. 486** -- TennCare -- Requires MCOs to provide enrollees with access to chiropractic services; allows patient to receive care from chiropractor or physician; allows any chiropractor willing to meet terms and conditions of MCO contract to provide services within lawful scope of practice. Amends TCA Title 56, Chapter 7, and Title 71, Chapter 5. by *Gunnels, *Cantrell.

House Bill No. 487 -- Criminal Offenses -- Requires punishment of public caning be imposed in addition to fines and imprisonment for certain offenses involving destruction of property; requires Tennessee supreme court to establish procedures to be followed in carrying out punishment. Amends TCA 39-14-403, 406, 408, 412; 39-17-309, 311; 46-2-105. by *Gunnels, *Kerr, *Williams, *Peach, *Boyer, *Dunn, *McDaniel.

***House Bill No. 488** -- Meat, Meat Products -- Authorizes TWRA to issue \$100 per facility propagator permit for cassowaries or emus. Amends TCA Title 53, Chapter 7 and Title 70, Chapter 4, Part 4. by *Phelan.

***House Bill No. 489** -- Utilities, Utility Districts -- Clarifies that no provision shall be construed to prohibit utility district from becoming member of local chamber of commerce. Amends TCA Title 7, Chapter 82. by *Phelan.

House Bill No. 490 -- Indigents -- Requires indigent plaintiff to file affidavit of indigency as prescribed by court rule in addition to present oath. Amends TCA Title 20, Chapter 12. by *Phelan.

***House Bill No. 491** -- Real Property -- Authorizes acceptance of certificate of acknowledgment if such certificate is in form prescribed by laws or regulations of Tennessee or in form prescribed by laws of another state or territory in which acknowledgment is taken. No prior notarial act is affected. Amends TCA Title 66. by *Buck.

***House Bill No. 492** -- Real Property -- Permits abstracts or summaries of leases for more than three years to be registered instruments. Amends TCA Title 66. by *Buck.

***House Bill No. 493** -- Courts -- Decreases from 60 to 45 days time for judicial selection commission to submit three names to governor. Amends TCA Title 2 and Title 17, Chapter 4. by *Buck.

***House Bill No. 494** -- Securities -- Enacts "Uniform Transfer on Death Security Registration Act." Amends TCA Title 48, Chapter 2. by *Buck.

House Bill No. 495 -- Game and Fish Laws -- Authorizes licenses for fishing only for \$8.00 and for hunting only for \$10.00; retains combination hunting and fishing license. Amends TCA Title 70, Chapter 2, Part 2. by *Buck, *Newton.

House Bill No. 496 -- Juvenile Offenders -- Authorizes juvenile court judge to waive 48 hour limit on detention of juveniles in adult jail for up to 14 days. Amends TCA Title 37. by *Buck.

***House Bill No. 497** -- Evidence -- Establishes rule of evidence that no married person has privilege to refuse to take witness stand solely because such person's spouse is a party; makes confidential communications between married persons privileged if either party objects. Amends TCA Title 24, Chapter 1. by *Buck.

House Bill No. 498 -- Adoption -- Reduces time period in which surrendering parent of prospective adoptive child may revoke surrender from 15 to 10 days. Amends TCA Title 36 and Title 37. by *Buck, *Pinion.

House Bill No. 499 -- DUI/DWI Offenses -- Doubles penalty for DUI if at time of offense person had .15 percent or more by weight of alcohol in such person's blood. Amends TCA Title 55, Chapter 10, Part 4. by *Buck, *Pinion.

House Bill No. 500 -- Custody and Support -- Requires proration of child support in equal shares if two or more children receive support unless court specifically otherwise orders. Amends TCA 36-5-101. by *Buck.

House Bill No. 501 -- County Officers -- Revises duties of register. Amends TCA Sections 4-31-707, 8-13-108, 66-11-142 and 68-221-408. by *Buck.

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House Bill No. 502 -- Courts -- Grants subpoena power to court of the judiciary. Amends TCA Title 17, Chapter 5. by *Buck.

House Bill No. 503 -- Courts, Juvenile -- Abolishes determinate sentencing of juveniles in juvenile courts; applies prospectively; affects only sentences imposed after effective date. Amends TCA 371-137. by *Buck.

House Bill No. 504 -- Tort Liability -- Establishes parental immunity for tortious acts towards unemancipated minor except for breach of fiduciary duty where duty exists by virtue of express trust; does not preclude administrative or criminal proceeding against parent otherwise permitted by law. Amends TCA Title 29, Chapter 34, Part 2. by *Wood.

***House Bill No. 505** -- Sentencing -- Makes fifth or subsequent DUI conviction Class E felony. Amends TCA Title 55, Chapter 10, Part 4. by *Wood.

House Bill No. 506 -- Consumer Protection -- Raises civil penalty for unlawful use of automatic dialing equipment (ADAD) from \$1,000 to \$1,100 for each call made. Amends TCA Title 47, Chapter 18. by *Kisber.

***House Bill No. 507** -- General Assembly -- Establishes 12 year term limits for members of general assembly; time served to fill vacancy not included; authorizes member to run for other house at end of 12 consecutive years; member not eligible to run for re-election or be appointed to same house until expiration of four years following end of service; begins with November 1996 election. Amends TCA Title 3. by *Newton.

House Bill No. 508 -- Judicial Districts -- Creates additional court and position of judge in 22nd judicial district, to be appointed effective July 1, 1995. Amends TCA 16-2-506. by *Fowlkes, *Napier, *White.

House Bill No. 509 -- Public Defenders -- Creates additional assistant public defender position for 22nd judicial district, effective July 1, 1995. Amends TCA 8-14-202. by *Fowlkes, *Napier, *White.

House Bill No. 510 -- District Attorneys -- Creates additional assistant district attorney general position for 22nd judicial district, effective July 1, 1995. Amends TCA Section 16-2-506. by *Fowlkes, *Napier, *White.

***House Bill No. 511** -- Taxes, Real Property -- Establishes formula for determining amount of property tax relief available to elderly homeowners and disabled homeowners. Amends TCA Title 67, Chapter 5, Part 7. by *Fowlkes.

House Bill No. 512 -- Judges and Chancellors -- Authorizes supreme court to relieve judge from performance of judicial duties while under indictment for felony or while there is pending any charge in court of the judiciary against such judge. Amends TCA Title 16, Chapter 3, Part 4. by *Purcell, *Buck, *Jackson, *Williams (Williamson), *Hargrove.

House Bill No. 513 -- Courts -- Requires counties comprising judicial district to provide safe and secure facilities in which court may conduct business and execute duties. Amends TCA 162-505(d). by *Purcell, *Buck, *Jackson, *Williams (Williamson), *Hargrove.

House Bill No. 514 -- Evidence -- Abolishes obsolete provisions that made sworn accounts from other counties conclusive proof because Rules of Evidence now cover this topic. Repeals TCA 24-5-107. by *Purcell, *Buck, *Jackson, *Williams (Williamson), *Hargrove.

House Bill No. 515 -- Judges and Chancellors -- Terminates court clerk's power to hold election of pro tempore judges and cast deciding vote in case of tie. Amends TCA 172-118. by *Purcell, *Jackson, *Buck, *Williams (Williamson), *Hargrove.

House Bill No. 516 -- Courts, Supreme Court of Tennessee -- Authorizes supreme court to establish rule to establish flat fee for all services rendered by clerk of supreme court; authorizes clerk to charge single flat fee instead of itemized fees. Amends TCA 821-501. by *Purcell, *Jackson, *Buck, *Williams (Williamson), *Hargrove.

***House Bill No. 517** -- Attorneys at Law -- Removes maximum compensation limits that attorney can be paid for representing indigent in criminal, mental health, and juvenile cases. Amends TCA Title 33, Chapter 3; Title 37, Chapter 1; Title 40, Chapters 14, 28. by *Purcell, *Buck, *Jackson, *Williams (Williamson), *Hargrove.

House Bill No. 518 -- Arbitration -- Enacts "Alternative Dispute Resolution Act of 1995." Amends TCA Title 29. by *Purcell, *Jackson, *Buck, *Hargrove.

House Bill No. 519 -- Naming and Designating -- Redesignates landscaped top surface area of Legislative Plaza embracing area once contained within Victory Park as "War Memorial Plaza"; directs department of general services in cooperation with legislative building facilities manager to erect suitable markers or affix suitable signs. by *Purcell, *Cross, *Bell, *Cole (Dyer), *Bittle, *Rinks, *Hargrove, *Chumney, *Ridgeway, *Naifeh.

House Bill No. 520 -- Partnerships -- Provides for formation, registration and regulation of registered limited liability partnerships. Amends TCA Title 61, Chapter 1. by *Purcell, *Rinks, *Hargrove, *Ridgeway.

***House Bill No. 521** -- Tennessee Housing Development Agency -- Permits transfer of excess funds in housing program reserve to fund operating costs, bond purchases, and to make grants; authorizes transfer when funds exceed \$15 million; imposes \$2 million limit; exempts funds received from federal government from limits. Amends TCA Title 13, Chapter 23, Part 4. by *Purcell, *Head, *Kisber, *Rinks, *Hargrove, *Chumney, *Ridgeway.

House Bill No. 522 -- Recreation -- Enacts "Tennessee Vacation Club Act of 1995." Amends TCA Title 66, Chapter 32. by *Purcell, *Huskey, *Davis, *Hargrove, *Rigsby.

***House Bill No. 523** -- Motor Vehicles, Titling and Registration -- Requires person applying for registration or renewal of

registration of motor vehicle to possess valid driver license to obtain registration plates; creates certain exceptions. Amends TCA Title 55, Chapter 4, Part 1. by *Purcell, *Fowlkes, *Cole (Dyer), *Robinson, *Rinks, *Hargrove, *Ridgeway.

House Bill No. 524 -- Insurance, Health, Accident -- Permits managed care organizations in commercial plans to obtain stoploss coverage. Amends TCA 56-2-201. by *Hassell.

House Bill No. 525 -- Insurance, Health, Accident -- Sets standards for preexisting condition provisions in health insurance policies; authorizes commissioner of commerce and insurance to promulgate rules. Amends TCA Title 56. by *Hassell.

House Bill No. 526 -- Courts, Juvenile -- Extends jurisdiction, concurrent with circuit and chancery courts, to juvenile courts with regard to proceedings arising from the 1980 Hague Convention on the Civil Aspects of International Child Abduction. Amends TCA 37-1-104. by *Hassell.

House Bill No. 527 -- Pharmacy -- Requires pharmacists, when dispensing generic drugs, to ensure that label of generic drug bottle indicates brand name of drug for which generic drug is substituted and also indicates that substitution has been made. Amends TCA Title 53, Chapter 10, Part 2; Title 63, Chapter 10, Part 2. by *Hassell.

***House Bill No. 528** -- Education -- Requires compulsory school attendance by children during ages of six through 16 rather than seven through 17. Amends TCA 49-6-3001, 3005. by *Hassell.

House Bill No. 529 -- Hotels and Restaurants -- Requires employees within food service establishments to obtain at least once each year certificate of health from county health department or from physician indicating that employee has been tested for and is free from tuberculosis, hepatitis, and such other communicable diseases as commissioner by rule shall specify. Amends TCA 53-8-220; 68-14-321. by *Hassell.

House Bill No. 530 -- Hotels and Restaurants -- Requires employees within food service establishments to wear clean and sanitary, plastic disposable gloves when handling or serving food or when handling dinnerware or tableware. Amends TCA Title 53, Chapter 8, Part 2 and Title 68, Chapter 14, Part 3. by *Hassell.

House Bill No. 531 -- Williamson County -- Subject to local approval, increases number of general sessions judges to two. Amends Chapter 424, Private Acts of 1939, as amended. by *Williams (Williamson), *Callicott.

***House Bill No. 532** -- Cheatham County -- Subject to local approval, authorizes hotel/motel tax. by *Williams (Williamson), *Davidson.

***House Bill No. 533** -- Regional Authorities -- Provides that sequestered funds be paid over to Cheatham County Railroad Authority by the Tennessee Department of Transportation; gives authority power to issue bonds and engage legal counsel. Amends TCA Title 7, Chapter 56, Part 2; Title 67, Chapter 6. by *Williams (Williamson).

***House Bill No. 534 -- Regional Authorities --** Provides that sequestered funds be paid over to Cheatham County Railroad Authority by Tennessee Department of Transportation; gives authority power to issue bonds and engage legal counsel. Amends TCA Title 7, Chapter 56, Part 2; Title 67, Chapter 6. by *Williams (Williamson).

***House Bill No. 535 -- Sexual Offenses --** Increases penalty for certain sexual offenses committed against child less than 13; requires difference between increased sentence and present sentence be served on supervised parole. Amends TCA Title 39, Chapter 13, Part 5; Title 39, Chapter 15, Part 3; Title 40, Chapters 28, 35. by *Williams (Williamson).

***House Bill No. 536 -- Sexual Offenses --** Requires persons convicted of certain sexual offenses against children under 13 to serve period of parole supervision at end of sentence. Amends TCA Title 39, Chapter 13, Part 5; Title 39, Chapter 15, Part 3; Title 40, Chapters 28, 35. by *Williams (Williamson).

House Bill No. 537 -- Telecommunications -- Requires cellular telephone records be available to person or entity paying for service as well as to person contracting for service. Amends TCA Title 47, Chapter 50, Part 1. by *Williams (Williamson).

House Bill No. 538 -- Education -- Adds power to state board of education to develop model grading policy. Amends TCA Title 49. by *Winningham.

***House Bill No. 539 -- Welfare --** Changes annual date for establishing standard of need from July 1 to October 1. Amends TCA Title 71. by *Givens.

House Bill No. 540 -- Welfare -- Enacts "Welfare Reform for Parental Responsibility Act". Amends TCA Title 71. by *Givens.

House Bill No. 541 -- Tobacco, Tobacco Products -- Requires airport bars and clubs serving alcoholic beverages or beer to reserve at least one quarter of space for smokers. Amends TCA Title 57, Chapter 4. by *Givens.

***House Bill No. 542 -- Employees, Employers --** Extends period by which a personnel service, temporary help services firm, contract labor firm or employee leasing organization must retain employee's written record of employment benefits, from two to three years; increases time by which persons licensed as staff leasing company must renew license prior to expiration, from 30 to 40 days. Amends TCA Title 62, Chapters 31 and 43. by *Givens.

House Bill No. 543 -- Tobacco, Tobacco Products -- Requires establishments serving alcoholic beverages or beer to reserve at least one quarter of space for smokers. Amends TCA Title 57, Chapter 4. by *Givens.

***House Bill No. 544 -- County Government --** Authorizes county executive to appoint members of county boards and commissions and county department heads with certain exceptions. Amends TCA Section 5-6-106(c). by *Callicott.

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***House Bill No. 545** -- Taxes, Privilege -- Exempts persons 65 years of age and older from occupational privilege tax. Amends TCA Title 67, Chapter 4, Part 17. by *Lewis.

House Bill No. 546 -- Licenses -- Authorizes board of professional counselors to license without examination applicants licensed in other states. Amends TCA Title 63, Chapter 22, Part 1. by *Lewis.

***House Bill No. 547** -- Traffic Safety -- Strengthens penalties for speeding. Amends TCA Title 55, Chapter 8. by *Kernell.

***House Bill No. 548** -- Motor Vehicles -- Prohibits transporting another person in bed for pickup truck on interstate highway punishable as Class C misdemeanor; exempts road maintenance, emergency or government vehicles. Amends TCA Title 55, Chapter 8, Part 1. by *Kernell.

***House Bill No. 549** -- Sexual Offenses -- Reduces from ten to seven days period in which convicted sexual offender must complete TBI sexual offender registration monitoring form following change of residence. Amends TCA Title 40, Chapter 39, Part 1. by *Turner (Hamilton).

House Bill No. 550 -- Marriage -- Eliminates three day waiting period for marriage license applicants if both are 18 or older. Amends TCA Title 36, Chapter 3. by *Stamps.

House Bill No. 551 -- Taxes, Real Property -- Exempts real property held by conservation organizations from property taxation if used for conservation purposes; continues exemption if property transferred from one organization to another. Amends TCA Title 67, Chapter 5. by *Westmoreland.

***House Bill No. 552** -- Divorce and Annulment -- Imposes filing fee of \$10.00 on divorces to be paid into child abuse prevention fund. Amends TCA Titles 36, 37 and 71. by *Kernell.

***House Bill No. 553** -- Gas, Petroleum Products, Volatile Oils - - Requires natural gas dispenser to meet National Fire Protection Association 52 Standard; grandfathers present dispensers. Amends TCA Title 68, Chapter 120. by *Kernell.

***House Bill No. 554** -- Smoking -- Enacts "Children's Act for Clean Indoor Air" regulating smoking of tobacco in public places children frequent. by *Haltzman Harwell.

House Bill No. 555 -- Victims Rights -- Removes right of person to legally change name if convicted of first or second degree murder, rape or aggravated rape, or child sexual abuse. Amends TCA Title 29, Chapter 8, Part 1. by *Haltzman Harwell.

House Bill No. 556 -- Taxes, Sales -- Exempts from sales tax lift devices that permit ingress and egress of handicapped persons confined to wheelchairs from residences as well as from personal motor vehicles. Amends TCA 67-6-314. by *Haltzman Harwell.

***House Bill No. 557** -- Municipal Government -- Permits municipal school board to be appointed or elected at large as provided

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by charter rather than present requirement of election from districts.
Amends TCA Section 49-2-201. by *McKee.

***House Bill No. 558** -- Marriage -- Permits former county executives to perform marriage ceremonies. Amends TCA 36-3-301. by *McKee.

***House Bill No. 559** -- Athens -- Changes from \$50.00 fine to civil penalty for certain violations relative bridges and viaducts. Amends Chapter 455, Private Acts of 1953, as amended. by *McKee.

***House Bill No. 560** -- Drug and Alcohol Rehabilitation -- Directs commissioner of health to develop and implement pilot demonstration project to provide culturally sensitive, effective, alcohol and drug abuse treatment, prevention and outreach services to address special needs of native American families; provides for evaluation and reporting of findings and recommendations. Amends TCA Title 68, Chapter 24. by *Brown.

***House Bill No. 561** -- Urban Renewal -- Enacts "Inner City Safe Neighborhood Act of 1995"; establishes Inner City Safe Neighborhood Pilot Demonstration Project. Amends TCA Title 13 and Title 54. by *Brown.

***House Bill No. 562** -- State Employees -- Includes as eligible employees in group insurance plan any person who is caretaker and lives full time in or on historical site property, title to which is held by or in the name of state. Amends TCA 8-27-201. by *McDonald.

***House Bill No. 563** -- Polygraph -- Authorizes use of computer voice stress analyzer in addition to polygraph for detecting or verifying truth of statements. Amends TCA Section 62-27-103. by *Cole (Carter), *Westmoreland, *Kent.

***House Bill No. 564** -- Criminal Procedure -- Requires defendant using insanity defense to notify district attorney in writing within time provided for filing pretrial motions. Amends TCA Titles 39, 40. by *Hargrove.

***House Bill No. 565** -- Criminal Procedure -- Provides that presiding trial judge is only judge who will assign judge to hear post conviction relief petition, and if such petition raises issue of ineffective counsel in original appeal, trial judge hearing petition also to decide such issue. Amends TCA 40-30-103. by *Hargrove.

House Bill No. 566 -- Criminal Procedure -- Enacts "Post Conviction Procedure Act.". Amends TCA 40-26-105; Title 40, Chapter 30. by *Hargrove, *Purcell, *Buck.

House Bill No. 567 -- Education -- Extends option of county legislative bodies to elect or appoint local board of education. Amends TCA Title 49, Chapter 2, Part 3. by *Buck.

House Bill No. 568 -- Ethics -- Prohibits gifts by lobbyists to officials in general assembly. Amends TCA Title 3, Chapter 6. by *Buck.

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

House Bill No. 569 -- Ethics -- Requires itemized reporting by lobbyists of any gift to members of general assembly. Amends TCA Title 3, Chapter 6. by *Buck.

***House Bill No. 570** -- Parks, Natural Areas Preservation -- Adds new areas to be designated Class II natural scientific areas; increases acreage of certain natural scientific areas. Amends TCA. by *Bragg.

House Bill No. 571 -- Annexation -- Requires annexation notice used by city to contain map showing area to be annexed; map shall include street names, natural boundaries, and property lines, as appropriate. Amends TCA 6-51-101. by *Bragg.

House Bill No. 572 -- Emergency Communications Districts -- Creates emergency communications district management review board in department of commerce and insurance for the purpose of assisting emergency communication district boards of directors. Amends TCA Title 7, Chapter 86. by *Bragg.

House Bill No. 573 -- Emergency Communications Districts -- Extends moratorium on creation of new 911 districts from April 14, 1994 and for one additional year thereafter, to April 14, 1995 and for two more years. Amends TCA Title 7, Chapter 86. by *Bragg.

House Bill No. 574 -- Emergency Communications Districts -- Requires 911 district funds to be collateralized like state deposits or local government deposits. Amends TCA Section 7-86-126. by *Bragg.

House Bill No. 575 -- Emergency Communications Districts -- Expands scope of 911 service charge to include cellular phones. Amends TCA Title 7, Chapter 86. by *Bragg.

House Bill No. 576 -- Local Government, General -- Enacts "Emergency Financial Aid to Local Government Law of 1995.". Amends TCA Title 9, Chapter 13, Part 2. by *Bragg.

House Bill No. 577 -- Motor Vehicles, Titling and Registration -- Permits Shelby County clerk to assess \$2.50 for motor vehicle registration fees. Amends TCA Title 55, Chapter 6. by *Miller.

***House Bill No. 578** -- Juries and Jurors -- Provides that jury will not be sequestered unless specifically ordered by judge; does not apply where death sentence may be rendered. Amends TCA 40-18-116. by *Davidson.

***House Bill No. 579** -- Education, Higher -- Requires Tennessee Higher Education Commission, Board of Regents, and UT Board of Trustees to send copies of minutes to chairs of house and senate education committees. Amends TCA Title 49, Chapters 7, 8, 9. by *Davidson.

***House Bill No. 580** -- Education -- Requires Tennessee Challenge 2000 reports be sent to senate and house education committees as well as joint education oversight committee. Amends TCA Title 49. by *Davidson.

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***House Bill No. 581** -- Education -- Requires state board of education to send copy of minutes of board meetings to chairs of house and senate education committees. Amends TCA Title 49. by *Davidson.

***House Bill No. 582** -- Banks and Financial Institutions -- Allows, effective July 1, 1996, Tennessee chartered banks to establish branches in other states subject to conditions set forth in RiegleNeal Interstate Banking Act; allows, subject to same conditions, banks chartered in other states to establish branches in Tennessee; directs joint committee on business taxes to recommend taxes for out-of-state banks and holding companies which establish branches in Tennessee. Amends TCA Title 45 and Title 67. by *Rhinehart.

***House Bill No. 583** -- Pikeville -- Subject to local approval, abolishes city judge; transfers criminal jurisdiction to general sessions court and enforcement of ordinances to recorder. Amends Chapter 574, Private Acts of 1939, as amended. by *Rhinehart.

***House Bill No. 584** -- Agriculture -- Enacts "Tennessee International Trade and Export Development for Agricultural Products Act of 1995.". Amends TCA Title 13, Chapter 27. by *McDonald, *Curtiss, *Davidson, *Ramsey, *Givens, *Phelan, *Bell.

***House Bill No. 585** -- Local Education Agency -- Allows county commission to continue indefinitely popular election of school superintendent. Amends TCA Title 49, Chapter 2, Part 3. by *Boyer, *Roach, *Williams (Union).

House Bill No. 586 -- Licenses -- Places moratorium on for profit methadone clinics by prohibiting granting of any new licenses, other than renewals, after effective date of bill. Amends TCA Title 68, Chapter 11, Part 2. by *Ramsey, *Westmoreland.

House Bill No. 587 -- Education -- Provides transition mechanism for moving from appointed to elected school boards. Amends TCA 49-2-201(a). by *Davidson, *Purcell.

House Bill No. 588 -- Insurance, Motor Vehicles -- Enacts "Mandatory Insurance Act of 1995.". Amends TCA Titles 55, 56. by *DeBerry L.

***House Bill No. 589** -- County Government -- Authorizes county executive to veto resolution of county legislative body, notwithstanding county executive serving as chair of such legislative body. Amends TCA Section 5-6-107. by *Westmoreland.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or Held on the Clerk's desk as noted:

***House Bill No. 125** -- DUI/DWI Offenses -- House Judiciary Committee

***House Bill No. 126** -- DUI/DWI Offenses -- House Judiciary Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 127 -- DUI/DWI Offenses -- House Judiciary Committee

*House Bill No. 128 -- Garnishments and Executions -- House Judiciary Committee

*House Bill No. 129 -- Correctional Programs -- House Judiciary Committee

*House Bill No. 130 -- Driver Licenses -- House Judiciary Committee

*House Bill No. 131 -- Sentencing -- House Judiciary Committee

*House Bill No. 132 -- Criminal Procedure -- House Judiciary Committee

*House Bill No. 133 -- Traffic Safety -- House Transportation Committee

*House Bill No. 134 -- Malpractice, Professional -- House Judiciary Committee

House Bill No. 135 -- Highway Signs -- House Transportation Committee

*House Bill No. 136 -- Utilities, Utility Districts -- House State and Local Government Committee

*House Bill No. 137 -- Minors, Gifts to -- House Judiciary Committee

House Bill No. 138 -- Tort Liability -- House Judiciary Committee

House Bill No. 139 -- Arrests -- House Judiciary Committee

House Bill No. 140 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 141 -- DUI/DWI Offenses -- House Judiciary Committee

*House Bill No. 142 -- Driver Licenses -- House Transportation Committee

*House Bill No. 143 -- Driver Licenses -- House Transportation Committee

*House Bill No. 144 -- Attorneys at Law -- House Judiciary Committee

House Bill No. 145 -- Appeal and Review -- House Judiciary Committee

*House Bill No. 146 -- Guardianship -- House Judiciary Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 147 -- Highway Signs -- House Transportation Committee

House Bill No. 148 -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 149 -- Highway Signs -- House Transportation Committee

House Bill No. 150 -- Municipal Government -- House Education Committee

House Bill No. 151 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 152 -- Salaries and Benefits -- House State and Local Government Committee

House Bill No. 153 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 154 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 155 -- Law Enforcement -- House State and Local Government Committee

House Bill No. 156 -- Wildlife Resources Commission -- House Conservation Committee

House Bill No. 157 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

*House Bill No. 158 -- Taxes, Privilege -- House Finance, Ways and Means Committee

*House Bill No. 159 -- Penal and Reformatory Institutions -- House State and Local Government Committee

*House Bill No. 160 -- Animals -- House Agriculture Committee

*House Bill No. 161 -- Highway Signs -- House Transportation Committee

*House Bill No. 162 -- Law Enforcement -- House Judiciary Committee

House Bill No. 163 -- Firefighters -- House Commerce Committee

House Bill No. 164 -- Rossville -- Local Bill Held on House Desk

*House Bill No. 165 -- Custody and Support -- House Judiciary Committee

*House Bill No. 166 -- Sexual Offenses -- House Judiciary Committee

*House Bill No. 167 -- TennCare -- House Commerce Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 168 -- Professions and Occupations -- House Government Operations Committee

*House Bill No. 169 -- Annexation -- House State and Local Government Committee

*House Bill No. 170 -- Sentencing -- House Judiciary Committee

House Bill No. 171 -- Probate Law -- House Judiciary Committee

*House Bill No. 172 -- Courts, Probate -- House Judiciary Committee

*House Bill No. 173 -- Probate Law -- House Consumer and Employees Affairs Committee

House Bill No. 174 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

*House Bill No. 175 -- Highways, Roads and Bridges -- House Transportation Committee

*House Bill No. 176 -- Hotels and Restaurants -- House Health and Human Resources Committee

*House Bill No. 177 -- Education -- House Education Committee

House Bill No. 178 -- Appropriations -- House Finance, Ways and Means Committee

*House Bill No. 179 -- Criminal Offenses -- House Judiciary Committee

*House Bill No. 180 -- Annexation -- House State and Local Government Committee

*House Bill No. 181 -- Zoning -- House State and Local Government Committee

*House Bill No. 182 -- County Government -- House State and Local Government Committee

*House Bill No. 183 -- State Government -- House State and Local Government Committee

*House Bill No. 184 -- Civil Service -- House State and Local Government Committee

*House Bill No. 185 -- Public Employees -- House State and Local Government Committee

*House Bill No. 186 -- Metropolitan Government -- House State and Local Government Committee

*House Bill No. 187 -- Metropolitan Government -- House Judiciary Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 188 -- Election Laws -- House State and Local Government Committee

*House Bill No. 189 -- Hazardous Materials -- House Conservation Committee

*House Bill No. 190 -- Solid Waste Disposal -- House State and Local Government Committee

*House Bill No. 191 -- Welfare -- House Health and Human Resources Committee

*House Bill No. 192 -- Motor Vehicles -- House Education Committee

*House Bill No. 193 -- Handicapped Persons -- House Transportation Committee

*House Bill No. 194 -- Gambling -- House State and Local Government Committee

*House Bill No. 195 -- Adoption -- House Judiciary Committee

*House Bill No. 196 -- General Assembly -- House State and Local Government Committee

*House Bill No. 197 -- General Assembly -- House State and Local Government Committee

*House Bill No. 198 -- Domestic Violence -- House Judiciary Committee

*House Bill No. 199 -- Domestic Violence -- House Judiciary Committee

*House Bill No. 200 -- Abortion -- House Health and Human Resources Committee

*House Bill No. 201 -- Education -- House Education Committee

*House Bill No. 202 -- Education, Higher -- House Education Committee

*House Bill No. 203 -- Workers' Compensation -- House Consumer and Employees Affairs Committee

*House Bill No. 204 -- Workers' Compensation -- House Consumer and Employees Affairs Committee

*House Bill No. 205 -- Commercial Code -- House Commerce Committee

*House Bill No. 206 -- Custody and Support -- House Judiciary Committee

*House Bill No. 207 -- Custody and Support -- House Health and Human Resources Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 208 -- Ethics -- House State and Local Government Committee

*House Bill No. 209 -- Telecommunications -- House Commerce Committee

*House Bill No. 210 -- Highways, Roads and Bridges -- House Transportation Committee

*House Bill No. 211 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 212 -- Medical Occupations -- House Health and Human Resources Committee

*House Bill No. 213 -- Aged Persons -- House Health and Human Resources Committee

House Bill No. 214 -- Jackson -- Local Bill Held on House Desk

House Bill No. 215 -- Insurance Companies, Agents, Brokers -- House Finance, Ways and Means Committee

*House Bill No. 216 -- Taxes -- House Finance, Ways and Means Committee

*House Bill No. 217 -- Boats, Boating -- House Conservation Committee

*House Bill No. 218 -- Managed Care Organizations -- House Commerce Committee

*House Bill No. 219 -- Taxes, Real Property -- House State and Local Government Committee

House Bill No. 220 -- Driver Licenses -- House Transportation Committee

*House Bill No. 221 -- Contractors -- House Commerce Committee

*House Bill No. 222 -- Jails, Local -- House State and Local Government Committee

*House Bill No. 223 -- Public Records -- House Judiciary Committee

*House Bill No. 224 -- Intergovernmental Relations -- House State and Local Government Committee

*House Bill No. 225 -- Funeral Directors and Embalmers -- House Health and Human Resources Committee

*House Bill No. 226 -- Estates -- House Judiciary Committee

*House Bill No. 227 -- Vital Statistics -- House Health and Human Resources Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

House Bill No. 228 -- Workers' Compensation -- House Consumer and Employees Affairs Committee

*House Bill No. 229 -- Mental Illness -- House Judiciary Committee

*House Bill No. 230 -- Domestic Violence -- House Judiciary Committee

*House Bill No. 231 -- Alcoholic Beverages -- House State and Local Government Committee

*House Bill No. 232 -- DUI/DWI Offenses -- House Judiciary Committee

*House Bill No. 233 -- Business and Commerce -- House Commerce Committee

*House Bill No. 234 -- Firearms and Ammunition -- House Judiciary Committee

*House Bill No. 235 -- Juvenile Offenders -- House Judiciary Committee

*House Bill No. 236 -- Insurance, Liability -- House Commerce Committee

*House Bill No. 237 -- Insurance, Health, Accident -- House Commerce Committee

*House Bill No. 238 -- Managed Care Organizations -- House Commerce Committee

*House Bill No. 239 -- Managed Care Organizations -- House Commerce Committee

*House Bill No. 240 -- TennCare -- House Commerce Committee

*House Bill No. 241 -- Boards and Commissions -- House Commerce Committee

*House Bill No. 242 -- Health -- House Health and Human Resources Committee

*House Bill No. 243 -- Employees, Employers -- House Consumer and Employees Affairs Committee

*House Bill No. 244 -- Financial Disclosure -- House State and Local Government Committee

*House Bill No. 245 -- Bond Issues -- House State and Local Government Committee

*House Bill No. 246 -- Public Funds and Financing -- House Finance, Ways and Means Committee

*House Bill No. 247 -- Taxes, Sales -- House Finance, Ways and Means Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 248 -- Taxes, Income -- House Finance, Ways and Means Committee

*House Bill No. 249 -- Taxes, Franchise -- House Finance, Ways and Means Committee

*House Bill No. 250 -- Taxes -- House Finance, Ways and Means Committee

*House Bill No. 251 -- Public Records -- House Judiciary Committee

*House Bill No. 252 -- Lobbying, Lobbyists -- House State and Local Government Committee

*House Bill No. 253 -- Sunshine Law -- House State and Local Government Committee

*House Bill No. 254 -- Banks and Financial Institutions -- House Commerce Committee

*House Bill No. 255 -- Corporations -- House Commerce Committee

*House Bill No. 256 -- Environmental Preservation -- House Conservation Committee

*House Bill No. 257 -- Game and Fish Laws -- House Conservation Committee

*House Bill No. 258 -- Environmental Preservation -- House Conservation Committee

House Bill No. 259 -- Noise Pollution -- House Judiciary Committee

*House Bill No. 260 -- Environment and Conservation -- House Conservation Committee

*House Bill No. 261 -- Public Service Commission -- House Commerce Committee

*House Bill No. 262 -- Criminal Procedure -- House Judiciary Committee

*House Bill No. 263 -- Judges and Chancellors -- House Judiciary Committee

*House Bill No. 264 -- Penal and Reformatory Institutions -- House Judiciary Committee

*House Bill No. 265 -- Capital Punishment -- House Judiciary Committee

*House Bill No. 266 -- Handicapped Persons -- House State and Local Government Committee

*House Bill No. 267 -- DUI/DWI Offenses -- House Judiciary Committee

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*House Bill No. 268 -- Auctions and Auctioneers -- House
Commerce Committee

*House Bill No. 269 -- Auctions and Auctioneers -- House
Commerce Committee

*House Bill No. 270 -- Alcoholic Beverages -- House State and
Local Government Committee

*House Bill No. 271 -- Historical Sites -- House State and
Local Government Committee

House Bill No. 272 -- State Government -- House Judiciary
Committee

House Bill No. 273 -- Cemeteries -- House Judiciary Committee

*House Bill No. 274 -- Tobacco, Tobacco Products -- House
Agriculture Committee

*House Bill No. 275 -- Pensions and Retirement Benefits --
House State and Local Government Committee

*House Bill No. 276 -- Sentencing -- House Judiciary
Committee

*House Bill No. 277 -- Pensions and Retirement Benefits --
House Finance, Ways and Means Committee

*House Bill No. 278 -- Alcoholic Offenses -- House State and
Local Government Committee

House Bill No. 279 -- Taxes, Sales -- House Finance, Ways and
Means Committee

*House Bill No. 280 -- Taxes -- House Finance, Ways and
Means Committee

House Bill No. 281 -- Firearms and Ammunition -- House
Judiciary Committee

House Bill No. 282 -- Taxes, Real Property -- House Finance,
Ways and Means Committee

House Bill No. 283 -- Hospitals and Health Care Facilities --
House Commerce Committee

House Bill No. 284 -- Mental Illness -- House Commerce
Committee

House Bill No. 285 -- Utilities, Utility Districts -- House
State and Local Government Committee

House Bill No. 286 -- Lewis County -- Local Bill Held on
House Desk

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House Bill No. 287 -- Local Government, General -- House State and Local Government Committee

House Bill No. 288 -- Welfare -- House Health and Human Resources Committee

*House Bill No. 289 -- Welfare -- House Health and Human Resources Committee

House Bill No. 290 -- Education -- House Education Committee
House Bill No. 291 -- Alcoholic Offenses -- House State and Local Government Committee

*House Bill No. 292 -- Annexation -- House State and Local Government Committee

House Bill No. 293 -- County Officers -- House State and Local Government Committee

*House Bill No. 294 -- DUI/DWI Offenses -- House Judiciary Committee

*House Bill No. 295 -- Education -- House Judiciary Committee

House Bill No. 296 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

*House Bill No. 297 -- Apportionment, Legislative -- House State and Local Government Committee

House Bill No. 298 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 299 -- Highway Signs -- House Transportation Committee

House Bill No. 300 -- Nurses, Nursing -- House Health and Human Resources Committee

House Bill No. 301 -- Energy -- House State and Local Government Committee

House Bill No. 302 -- Purchasing -- House State and Local Government Committee

*House Bill No. 303 -- Emergency Communications Districts -- House State and Local Government Committee

House Bill No. 304 -- Railroads -- House Transportation Committee

*House Bill No. 305 -- Tort Liability -- House Judiciary Committee

*House Bill No. 306 -- Welfare -- House Health and Human Resources Committee

*House Bill No. 307 -- DUI/DWI Offenses -- House Judiciary Committee

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***House Bill No. 308** -- Sexual Offenses -- House Judiciary Committee

***House Bill No. 309** -- Lobbying, Lobbyists -- House State and Local Government Committee

House Bill No. 310 -- Education -- House Education Committee

***House Bill No. 311** -- Sunshine Law -- House State and Local Government Committee

***House Bill No. 312** -- Civil Procedure -- House Judiciary Committee

***House Bill No. 313** -- Tobacco, Tobacco Products -- House Agriculture Committee

***House Bill No. 314** -- Workers' Compensation -- House Consumer and Employees Affairs Committee

***House Bill No. 315** -- Taxes -- House State and Local Government Committee

***House Bill No. 316** -- DUI/DWI Offenses -- House Judiciary Committee

CONSENT CALENDAR

House Resolution No. 4 -- Memorials, Death - Patrick Carl Mark MacLeod. by *Herron.

House Resolution No. 5 -- Memorials, Death - Jennifer Melton. by *Herron.

House Joint Resolution No. 36 -- Memorials, Public Service - John M. Jones, recipient, Robert C. Austin Distinguished Service to the Community Award. by *Davis, *Whitson.

House Joint Resolution No. 37 -- Memorials, Professional Achievement -- Kay Leonard, 1994 recipient, "C. Hal Henard Distinguished Service Award." by *Davis, *Whitson.

House Joint Resolution No. 38 -- Memorials, Professional Achievement -- Andrew Renner, Sr. by *Davis.

House Joint Resolution No. 40 -- Memorials, Death -- Loyd O. Matlock. by *Rinks, *Walley.

House Joint Resolution No. 43 -- Memorials, Public Service -- Shelby County Chapter of the Links, Inc., Tenth Anniversary. by *DeBerry L, *Bowers, *Miller, *DeBerry J, *Jones U (Shelby), *Jones R (Shelby), *Towns.

House Joint Resolution No. 45 -- Memorials, Public Service -- Richard M. Riebeling, Commissioner of Economic and Community Development. by *Kisber, *Jones R (Shelby), *Bragg, *Turner (Hamilton), *Garrett.

House Joint Resolution No. 46 -- Memorials, Recognition and Thanks - Annesdale Cherokee Missionary Baptist Church. by *Brooks, *Kernell, *DeBerry L., *Turner (Shelby), *Brown, *Miller.

House Joint Resolution No. 48 -- Memorials, Death -- Rosemary Moxley Bigham. by *Herron.

House Joint Resolution No. 49 -- Memorials, Retirement - Nashville Metro Councilman Tandy Wilson. by West, *Langster, *Garrett, *Halteman Harwell, *Arriola, *Pruitt, *Jones S, *Purcell, *Robinson, *Odom.

House Joint Resolution No. 51 -- Memorials, Recognition and Thanks -- Charles Hammontree, youth athletics. by *Gunnels.

Senate Joint Resolution No. 5 -- Memorials, Death - Corinne Franklin. by *Henry, *Haynes.

Senate Joint Resolution No. 10 -- Memorials, Sports -- Harriman High School football Team, 1994 TSSAA state runners-up. by *O'Brien.

Senate Joint Resolution No. 14 -- Memorials, Professional Achievement - Pulaski Mayor Dan Speer, "Mayor of the Year". by *Cooper, *Kyle, *Henry, *Cohen.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be concurred in, which prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Cantrell moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 23, out of order, which motion prevailed.

Senate Joint Resolution No. 23 -- Memorials, Sports -- Coach Richard D. Pickell, Harriman High School boys' basketball team. by *O'Brien

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Cantrell, the resolution was concurred in.

A motion to reconsider was tabled.

SIGNED

February 2, 1995

The Speaker signed the following: Senate Joint Resolution(s) No(s). 28.

MESSAGE FROM THE SENATE

February 2, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 18 and 19; both concurred in by the Senate.

CLYDE

W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 2, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 20 and 24; both adopted for concurrence.

CLYDE W.

McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 20 -- Memorials, Death - Senator Ernest Crouch. by *Cooper, *Atchley, *Burks, *Carter, *Cohen, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McNally, *Miller, *O'Brien, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

Senate Joint Resolution No. 24 -- Memorials, Death- Senator James E. "Buzz" Elkins, Clinton. by *McNally, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *Miller, *O'Brien,

THURSDAY, FEBRUARY 2, 1995 -- FOURTH LEGISLATIVE DAY

*Person, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

**MESSAGE FROM THE SENATE
February 2, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 16, 18, and 21; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 16 -- Memorials, Professional Achievement - Marguerite W. Sallee. by *Henry, *Haynes.

Senate Joint Resolution No. 18 -- Naming and Designating - Proclaims Lebanon Appalachian Square Dance Capital of the World. by *Rochelle.

Senate Joint Resolution No. 21 -- Memorials, Death - Dean John Webster Wade, Sr. by *Henry, *Wilder, *Jordan.

**ENGROSSED BILLS
February 2, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 36, 37, 38, 40, 43, 45, 46, 48, 49, and 51.

BETTY

KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
February 2, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 2, 3, 4 and 11 with his approval.

HARDY MAYS, Counsel to the Governor.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 45: Rep(s). Garrett as prime sponsor(s).

House Bill No 92: Rep(s). Langster as prime sponsor(s).

House Bill No. 289: Rep(s). Haley and Shirley as prime sponsor(s).

ROLL CALL

The roll was taken with the following results:

Present 98
.

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Maltzman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, February 6, 1995.